

## Union Calendar No. 425

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3657

[Report No. 106-744]

To provide for the conveyance of a small parcel of public domain land in the San Bernardino National Forest in the State of California, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2000

Mrs. BONO (for herself and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Resources

JULY 17, 2000

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To provide for the conveyance of a small parcel of public domain land in the San Bernardino National Forest in the State of California, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. LAND CONVEYANCE AND SETTLEMENT, SAN**  
2 **BERNARDINO NATIONAL FOREST, CALI-**  
3 **FORNIA.**

4 (a) CONVEYANCE REQUIRED.—Subject to valid exist-  
5 ing rights and settlement of claims as provided in this sec-  
6 tion, the Secretary of Agriculture shall convey to KATY  
7 101.3 FM, a California corporation, (in this section re-  
8 ferred to as “KATY”) all right, title and interest of the  
9 United States in and to a parcel of real property con-  
10 sisting of approximately 1.06 acres within the San  
11 Bernardino National Forest in Riverside County, Cali-  
12 fornia, generally located in the north ½ of section 23,  
13 township 5 south, range 2 east, San Bernardino meridian.

14 (b) LEGAL DESCRIPTION.—The Secretary and  
15 KATY shall, by mutual agreement, prepare the legal de-  
16 scription of the parcel of real property to be conveyed  
17 under subsection (a), which is generally depicted as Ex-  
18 hibit A-2 in an appraisal report of the subject property  
19 dated August 26, 1999, by Paul H. Meiling.

20 (c) CONSIDERATION.—Consideration for the convey-  
21 ance under subsection (a) shall be equal to the appraised  
22 fair market value of the parcel to be conveyed. Any ap-  
23 praisal to determine the fair market value of the parcel  
24 shall be prepared in conformity with the Uniform Ap-  
25 praisal Standards for Federal Land Acquisitions and ap-  
26 proved by the Secretary.

1       (d) SETTLEMENT.—In addition to the consideration  
2 referred to in subsection (c), upon the receipt of \$16,600  
3 paid by KATY to the Secretary, the Secretary shall release  
4 KATY from any and all claims of the United States arising  
5 from the occupancy and use of the San Bernardino  
6 National Forest by KATY for communication site purposes.  
7

8       (e) ACCESS REQUIREMENTS.—Notwithstanding section 1323(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3210(a)) or any other law, the  
9 Secretary is not required to provide access over National  
10 Forest System lands to the parcel of real property conveyed under subsection (a).  
11  
12  
13

14       (f) ADMINISTRATIVE COSTS.—Any costs associated  
15 with the creation of a subdivided parcel, recordation of a  
16 survey, zoning, and planning approval, and similar expenses  
17 with respect to the conveyance under this section,  
18 shall be borne by KATY.

19       (g) TREATMENT OF RECEIPTS.—All funds received  
20 pursuant to this section shall be deposited in the fund established  
21 under Public Law 90-171 (16 U.S.C. 484a; commonly known as the Sisk Act), and the funds shall  
22 remain available to the Secretary, until expended, for the  
23 acquisition of lands, waters, and interests in land for the  
24 inclusion in the San Bernardino National Forest.  
25

1 **SECTION 1. LAND CONVEYANCE AND SETTLEMENT, SAN**  
2 **BERNARDINO NATIONAL FOREST, CALI-**  
3 **FORNIA.**

4 (a) *CONVEYANCE REQUIRED.*—Subject to valid exist-  
5 ing rights and settlement of claims as provided in this sec-  
6 tion, the Secretary of Agriculture shall convey to KATY  
7 101.3 FM (in this section referred to as “KATY”) all right,  
8 title and interest of the United States in and to a parcel  
9 of real property consisting of approximately 1.06 acres  
10 within the San Bernardino National Forest in Riverside  
11 County, California, generally located in the north  $\frac{1}{2}$  of sec-  
12 tion 23, township 5 south, range 2 east, San Bernardino  
13 meridian.

14 (b) *LEGAL DESCRIPTION.*—The Secretary and KATY  
15 shall, by mutual agreement, prepare the legal description  
16 of the parcel of real property to be conveyed under sub-  
17 section (a), which is generally depicted as Exhibit A–2 in  
18 an appraisal report of the subject property dated August  
19 26, 1999, by Paul H. Meiling.

20 (c) *CONSIDERATION.*—Consideration for the convey-  
21 ance under subsection (a) shall be equal to the appraised  
22 fair market value of the parcel to be conveyed. Any ap-  
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25 praisal Standards for Federal Land Acquisitions and ap-  
26 proved by the Secretary.

1       (d) *SETTLEMENT.*—*In addition to the consideration*  
2 *referred to in subsection (c), upon the receipt of \$16,600*  
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6 *tional Forest by KATY for communication site purposes.*

7       (e) *ACCESS REQUIREMENTS.*—*Notwithstanding sec-*  
8 *tion 1323(a) of the Alaska National Interest Lands Con-*  
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10 *Secretary is not required to provide access over National*  
11 *Forest System lands to the parcel of real property conveyed*  
12 *under subsection (a).*

13       (f) *ADMINISTRATIVE COSTS.*—*Any costs associated*  
14 *with the creation of a subdivided parcel, recordation of a*  
15 *survey, zoning, and planning approval, and similar ex-*  
16 *penses with respect to the conveyance under this section,*  
17 *shall be borne by KATY.*

18       (g) *INDEMNIFICATION.*—*By acceptance of the convey-*  
19 *ance under this Act, KATY agrees—*

20               (1) *to indemnify for any buildings or personal*  
21 *property belonging to GTE (also known as General*  
22 *Telephone and Electronics Corporation) and any*  
23 *other third party which are located on the parcel re-*  
24 *ferred to in subsection (a) as of the date the accept-*  
25 *ance of the conveyance by KATY; and*

1           (2) *to indemnify and hold harmless the United*  
2       *States for liability to GTE and any third party for*  
3       *any buildings or personal property located on the*  
4       *parcel referred to in subsection (a).*

5       (h) *TREATMENT OF RECEIPTS.—All funds received*  
6       *pursuant to this section shall be deposited in the fund estab-*  
7       *lished under Public Law 90–171 (16 U.S.C. 484a; com-*  
8       *monly known as the Sisk Act), and the funds shall remain*  
9       *available to the Secretary, until expended, for the acquisi-*  
10      *tion of lands, waters, and interests in land for the inclusion*  
11      *in the San Bernardino National Forest.*



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